

UNITED STATES DISTRICT COURT

FILED

for

WESTERN DISTRICT OF TEXAS

DEC 27 2018

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY

United States District Court
Western District of Texas
FILED

APR 05 2019

David J. Bradley, Clerk of Court

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Ediel Tejada Case Number: SA:14-CR-00915-FB(3)

Name of Sentencing Judicial Officer: Honorable Fred Biery, United States District Judge

Date of Original Sentence: September 9, 2016

Original Offense: Conspiracy to Distribute and Possess with Intent to Distribute Marijuana, in violation of 21 U.S.C. § 846, 21 U.S.C. § 841(a)(1) and 21 U.S.C. § 841(b)(1)(B)

Original Sentence: 5 years probation

Type of Supervision: Probation Date Supervision Commenced: September 9, 2016

Assistant U.S. Attorney: Eric Joesph Fuchs Defense Attorney: Jason Davis

PREVIOUS COURT ACTION

None.

H19-0592M

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

- | <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--|
| 1. | <u>Mandatory Condition No. 1:</u> The defendant shall not commit another federal, state, or local crime during the term of supervision. |
| 2. | <u>Mandatory Condition No. 2:</u> The defendant shall not unlawfully possess a controlled substance. |

On November 15, 2018, Ediel Tejada and his wife, Claudia Marlene Lopez, were arrested by the Arizona Department of Public Safety, near Flagstaff, Coconino, Arizona for the offenses of Possession/Use of Marijuana and Narcotic Drug Possession/Use. According to the Arizona Department of Public Safety report, troopers observed a vehicle driven by Tejada traveling at a high rate of speed and a traffic stop was conducted. Upon contact, Tejada stated he was returning to Houston, Texas, from California and denied any narcotic contraband. Troopers searched the vehicle and discovered \$10,000 in a woman's purse and passport, 14 grams of marijuana, and five vape cartridges (2500 milligrams). The case remains pending formal indictment.

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4. **Standard Condition No. 1:** The defendant shall not leave the judicial district without permission of the court or probation officer.

During his arrest on November 15, 2018, by the Arizona Department of Public Safety, the offender admitted he traveled to California for approximately three to four days without the permission of the Court or probation officer.

5. **Standard Condition No. 11:** The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

On November 15, 2018, the offender was arrested by the Arizona Department of Public Safety and failed to report his arrest to the U.S. Probation Officer within seventy-two hours.

U.S. Probation Officer Recommendation: Mr. Tejada has an extensive criminal history which began in his early 20's. His criminal history consists of Possession of Marijuana 2,000 pounds greater than 50 pounds, Deadly Conduct, Possession of a Controlled Substance PG 3 Less Than 28 Grams, Criminal Mischief \$1,500 to \$20,000, Assault Causes Bodily Injury, Unlawful Restraint, Money Laundering, Aggravated Assault with a Deadly Weapon, Arson, and Aggravated Kidnapping. He has a Criminal Category of four and according to the Presentence Report, his substance abuse began in his early teens. His substance abuse history includes alcohol and marijuana.

The offender commenced his term of probation on September 9, 2016 and is being supervised in the Southern District of Texas – McAllen Division. While on probation, the offender has maintained stable employment, a stable relationship with his wife (co-defendant in the federal case), and stable residence. He has complied with his conditions of probation until his arrest on November 15, 2018, by the Arizona Department of Public Safety for the offenses of Possession of Marijuana Less Than Two Ounces and Drug Possession/Use Synthetic Narcotic-Possession.

Due to the offender's continued involvement in criminal conduct, it is respectfully recommended a warrant be issued for the offender and his term of probation be revoked.

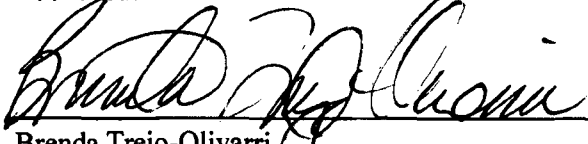
☐ The term of supervision should be

☐ revoked. (Maximum penalty: 3 years imprisonment; Up to Life supervised release; and payment of any unsatisfied monetary sanction previously imposed)

☐ extended for years, for a total term of years.

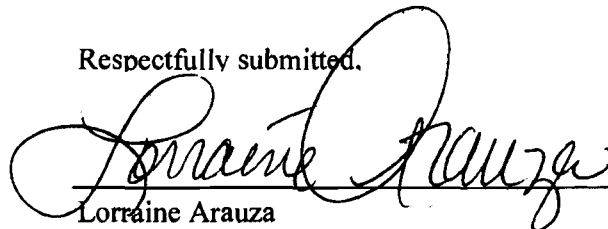
☐ The conditions of supervision should be modified as follows:

Approved:



Brenda Trejo-Olivarri
Supervising U.S. Probation Officer
Telephone: (210) 244-5300, Ext. 55372

Respectfully submitted,



Lorraine Arauza
U.S. Probation Officer
Telephone: (210) 244-5300 Ext. 55356
Date: December 20, 2018

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cc: Eric Joesph Fuchs
Assistant U.S. Attorney

Marc S. Martinez
Assistant Deputy Chief U.S. Probation Officer

THE COURT ORDERS:

☐ No action.

☒ The issuance of a warrant.

☐ The issuance of a summons.

☒ Other Rwob I will do mtr in S.A.

*As Claudia
Lopez still
on probation?*


Honorable Fred Biery
U.S. District Judge

12/27/18
Date